



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: February 1, 2011

SUBJECT: BZA Case 18165 - request for special exception relief under § 223 to construct an addition to an existing one-family detached dwelling at 5039 Eskridge Terrace, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of this application pursuant to § 223, to permit a rear addition to one-family detached dwelling at 5039 Eskridge Terrace, N.W., requiring special exception relief as follows:

- § 404.1, to allow a rear yard of 8 feet, 10 inches (minimum 25 feet required);
- § 2001.3, to allow for the enlargement of a nonconforming structure.

The existing lot is nonconforming for lot area and lot width.

II. LOCATION AND SITE DESCRIPTION:

Address	5039 Eskridge Terrace, N.W.
Legal Description	Square 1411, Lot 16
Ward	3
Lot Characteristics	Rectangular lot with alley access on two sides and two mature trees in the rear yard
Zoning	R-1-A – low density one-family detached dwellings CB/UT – Chain Bridge Road/ University Terrace Overlay District, established to preserve and enhance the park-like setting of the Chain Bridge Road/University Terrace area.
Existing Development	One-family detached dwelling, permitted in this zone
Historic District	N/A
Adjacent Properties	One-family detached dwellings
Surrounding Neighborhood Character	One-family detached residential community

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Ellen Mahan
Proposal	One-story rear addition
Relief Sought	§ 223 - Addition to a one-family dwelling

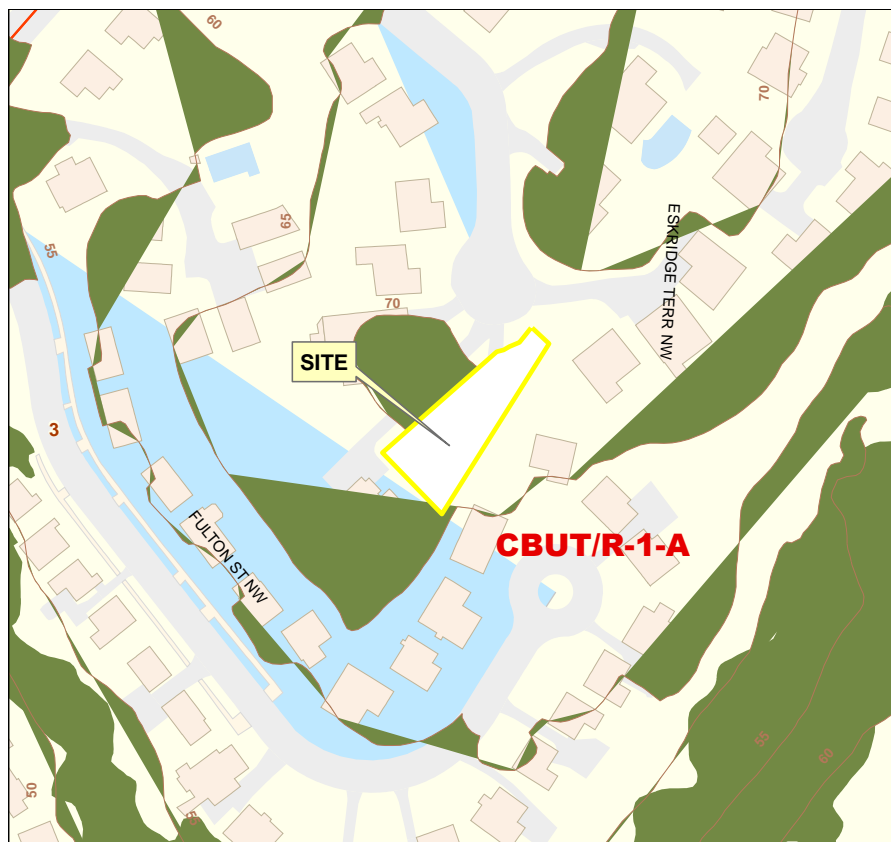


The applicant proposes to construct a one-story screen porch onto the rear of the dwelling, including the construction of a new patio. The existing patio would be removed. Relief from the minimum rear yard requirement of 25 feet is necessary for the construction of this porch. The applicant has also requested relief from the minimum lot size and minimum lot width requirements, as the subject property is nonconforming for lot width and area. The subject property is an existing record lot.

The application states that the subject property is located within the Chain Bridge/University Terrace Overlay District, as indicated on the Office of Zoning zoning maps. This overlay imposes additional requirements related to lot occupancy and ground coverage for a lot consisting of 7,438 square feet, pursuant to § 1567.1 of the Zoning Regulations. The subject application is in conformance with those regulations, as shown in the table below.

	Regulation	Proposed
Lot Occupancy (maximum)	35 percent	34 percent
Ground Coverage (maximum)	50 percent	47 percent

However, based on a reading of Zoning Commission Order 863, the order that adopted the CB/UT overlay, the subject property may not actually be located within the overlay. As the subject application conforms to the provisions of the CB/UT overlay, this is not an issue in this case.



Zoning and Vicinity Map

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed	Relief
§ 400 Height (max.)	40.0 feet	30 feet, 8 inches	30 feet, 8 inches	None required
§ 401 Lot Width (min.)	75 feet	< 75 feet	< 75 feet	None required; existing situation
§ 401 Lot Area (min.)	7,500 SF	7,438 SF	7,438 SF	None required; existing situation
§ 404 Rear Yard (min.)	25.0 feet	25 feet, 9 inches	8 feet, 10 inches	Relief required
§ 405 Side Yard (min.)	8.0 feet	8 feet, 1 inch & 7 feet, 4 inches	8 feet, 1 inch & 7 feet, 4 inches	None required; existing situation

V. OP ANALYSIS

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

One-family detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of §§ 404 and 2001.3.

223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

(a) *The light and air available to neighboring properties shall not be unduly affected;*

The proposed addition would be located at the rear of the property, adjacent to the side yards of properties located to the south and east. The screen porch would be set back more than twenty feet from the east. It would also be set back more than eight feet from the rear property line, adjacent to the side yard of the property to the south. Eight feet is the minimum side yard required in the R-1-A district. Therefore, light and air available to neighboring properties should not be unduly affected.

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The owners of the subject property and the property to the rear planted a row of evergreen trees between the two lots, obstructing views from one property to the other. Construction of a screen porch onto the rear of the subject property would have minimal impact on the privacy of use and enjoyment of the property to the south because the trees would block all views. The property to the east is situated at a much lower elevation, such that from the proposed location of the screen porch only the rooftop of the adjacent dwelling would be visible. The addition of screens and columns to support the roof over the screen porch would serve to further impair any views into that neighboring property. Therefore, privacy of use and enjoyment of neighboring properties should not be unduly compromised.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The addition would not substantially intrude upon the character, scale and pattern of houses along the alley. It would be residential in appearance and consistent architecturally with the subject property and surrounding development.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant submitted plans, photographs and elevation drawings in support of the application.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The application requests a lot occupancy of 34 percent, less than the maximum permitted within the R-1-B district.

- 223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning does not recommend any special treatments.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The requested relief would not result in the introduction or expansion of a nonconforming use.

The subject application is in conformance with the provisions of §223 for the granting of a special exception.

VI. COMMUNITY COMMENTS

ANC 3D did not respond to a request for comments from the Office of Planning.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP